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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,657	06/19/2000	Donald E. Ackley	254/302	4315

34263 7590 01/02/2004

O'MELVENY & MEYERS
114 PACIFICA, SUITE 100
IRVINE, CA 92618

EXAMINER

MARSCHER, ARDIN H

ART UNIT	PAPER NUMBER
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1631

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

S.M.

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Response to Rule 312 Communication	Application N . 09/596,657	Applicant(s) ACKLEY ET AL.	
	Examiner Ardin Marschel	Art Unit 1631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 19 November 2003 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.


c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The change in priority claim proposed in said amendment, filed 11/19/03, would require further consideration and/or search due to making available a large set of potential prior art which was not previously under consideration due to the priority claim of record which includes a number of parent application filing dates going back to as early as 1/21/88.


ARDIN H. MARSCHEL
PRIMARY EXAMINER